

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
FIFTY-NINTH LEGISLATURE

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TENTH LEGISLATIVE DAY  
WEDNESDAY, JANUARY 17, 2007

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Bair, Coiner, and Little, absent and formally excused by the Chair; and Senators Cameron, Lodge, and Stennett, absent and excused.

Prayer was offered by Chaplain Goebel.

The Pledge of Allegiance was led by Bear Chelson, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

Senators Lodge and Stennett were recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 16, 2007, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

### Petitions, Resolutions, and Memorials

#### SJR 101 BY WERK

#### A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE III, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO INITIATIVES TO PROVIDE THAT NO INITIATIVE OF THE PEOPLE ENACTED INTO LAW SHALL BE SUBJECT TO REPEAL IN ITS ENTIRETY BY THE LEGISLATURE, AT ANY TIME, WITHOUT ITS SUBMISSION TO THE ELECTORATE AT THE GENERAL ELECTION IN AN EVEN-NUMBERED YEAR IN A MANNER AS PROVIDED BY LAW; STATING THE QUESTION TO BE SUBMITTED TO

THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

**SJR 101** was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

January 17, 2007

The JUDICIARY AND RULES Committee reports that **S 1010, S 1011, S 1012, S 1013, S 1014, S 1015, S 1016, S 1017, S 1018, and S 1019** have been correctly printed.

DARRINGTON, Chairman

**S 1010** and **S 1011** were referred to the Resources and Environment Committee.

**S 1012, S 1013, S 1014, S 1015, S 1016, S 1017, S 1018 and S 1019** were referred to the Judiciary and Rules Committee.

January 17, 2007

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Andrea Wassner to the Idaho Commission on Human Rights, term to expire July 1, 2009;

Randolph J. Hill to the Idaho Energy Resources Authority, term to expire June 30, 2011.

McKENZIE, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

The President Pro Tempore announced the Resources and Environment Committee report relative to the Gubernatorial appointment of Robert "Bob" C. Barowsky was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Pearce, seconded by Senator Stennett, the Gubernatorial appointment of Robert "Bob" C. Barowsky as a member of the Idaho Fish and Game Commission was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1020**

**BY WERK**

**AN ACT**

RELATING TO INITIATIVES AND REFERENDUMS; AMENDING CHAPTER 5, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-515, IDAHO CODE, TO PROVIDE THAT THE REPEAL, IN ITS ENTIRETY, BY THE LEGISLATURE, OF ANY MEASURE OR STATUTE APPROVED BY INITIATIVE SHALL NOT BECOME EFFECTIVE UNTIL THE VOTERS APPROVE OF THE REPEALER, TO PROVIDE THAT SUCH A REPEAL WILL BE OF TEMPORARY EFFECT, TO PROVIDE THE EFFECT IF A MAJORITY OF VOTERS VOTING ON THE QUESTION DO NOT APPROVE OF THE REPEAL AND TO PROVIDE THAT THE QUESTION ON THE BALLOT SHALL BE TREATED AS A REFERENDUM; AMENDING SECTION 34-1803, IDAHO CODE, TO PROVIDE THAT THE REPEAL, IN ITS ENTIRETY, BY THE LEGISLATURE, OF ANY MEASURE OR STATUTE APPROVED BY INITIATIVE SHALL CAUSE ALL REQUIREMENTS FOR SIGNATURES AND PETITIONS FOR A REFERENDUM TO BE WAIVED, AND SHALL, FOR PURPOSES OF THE LAW ON REFERENDUMS, CONSTITUTE THE SUFFICIENT NUMBER OF SIGNATURES AND THE PETITION PURSUANT TO THE LAW ON REFERENDUMS AND THE MEASURE SHALL BE REFERRED TO THE NEXT BIENNIAL REGULAR ELECTION FOR THE VOTERS TO VOTE UPON; AMENDING SECTION 34-1809, IDAHO CODE, TO PROVIDE DUTIES OF THE ATTORNEY GENERAL REGARDING BILLS APPROVED BY THE LEGISLATURE REPEALING, IN ITS ENTIRETY, A STATUTE OR MEASURE APPROVED BY INITIATIVE; AND PROVIDING AN EFFECTIVE DATE.

**S 1021**

**BY STATE AFFAIRS COMMITTEE**

**AN ACT**

RELATING TO THE INDUSTRIAL SPECIAL INDEMNITY FUND; AMENDING SECTION 72-327, IDAHO CODE, TO REVISE A REPORTING DATE.

**S 1020** and **S 1021** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

**Miscellaneous Business**

Senator Cameron was recorded present at this order of business.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 11:55 a.m. until the hour of 11:30 a.m., Thursday, January 18, 2007.

ROBERT L. GEDDES, President Pro Tempore

Attest: RUSTI HORTON, Assistant Secretary